

Dear State Agency, Board or Commission,

During the Legislative session of 2003 some significant changes to the Administrative Procedures Act were enacted. One particular change was the passage of Act 1478 of 2003. Section 3 of Act 1478 requires state agencies, boards and commissions to file "it's adopted rules, proposed rules, and notices with the Secretary of State in an electronic format acceptable to the Secretary of State and for those filings to appear on the Secretary of State's website." The appearance of the various stages of rulemaking on the website will give members of the public more access to agency rules that affect them. All agency rule notices, proposed rules, emergency rules, and adopted rules need to be submitted in an electronic format with the *Arkansas Register*.

Act 1478 requirements;

- **Rule Notices** – Rule notices will be required to be published in a newspaper of general daily circulation for three consecutive days. These rule notices will also need to be emailed to register@sos.arkansas.gov listing a date of when the notice will appear in the newspaper. The notice will be posted on the Secretary of State's website for 30 days.
- **Proposed Rules** -- Proposed rules will need to be filed with the Bureau of Legislative Research, as in the past, but will also need to be emailed to register@sos.arkansas.gov. Proposed rules need to be submitted in "mark-up" (strikethrough, underline, etc.) form if the rule is an amendment to an existing rule. For a new rule a "clean copy" should be submitted. Also, a summary of the rule needs to be included with the filing.
- **Final and Emergency Rules** – Final and Emergency rules will continue to be filed using the procedure that is currently in place. Electronic copies and paper copies of the rules still need to be filed with the *Arkansas Register*. Electronic copies need to be emailed to register@sos.arkansas.gov or a disk may be submitted with the paper copies of the rule that need to be filed and date stamped with the office to be used as the "official copy."

All electronic files need to be submitted using Adobe PDF or Microsoft Word 6.0 or higher. Also, a contact name and which agency is filing the rules should be included.